IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

Bail Appl..No. 3964 of 2007(P)

CMP.1850/2007 of J.M.F.C.,AMBALAPUZHA
C.R.NO.32/2007 OF EXCISE RANGE OFFICE, KUTTANAD

.....

PETITIONERS : ACCUSED

---

1. PURUSHOTHAMA PANICKER,S/O.PRABHAKARA PANICKER,ATHIRALAYAM VEEDU-NO.1, EDATHUA PANCHAYATH WARD NO.2, THAYANKARI MURI,EDATHUA VILLAGE, KUTTANAD TALUK,ALAPPUZHA.

2. PRASAD,S/O.JANARDHANAN, ASSAMPARAMBU VEEDU, KODUPUNNA DESAM,EDATHUA VILLAGE, KUTTANAD TALUK,ALAPPUZHA.

BY ADV. SRI.M.P.MADHAVANKUTTY
SRI.GOKUL DAS V.V.H.

RESPONDENTS: COMPLAINANT

THE EXCISE INSPECTOR,
KUTTANAD EXCISE RANGE OFFICE,ALAPPUZHA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3964 of 2007

Dated this the 2nd day of July, 2007

ORDER

Application for regular bail. Allegations are raised under the Kerala Abkari Act. The petitioners were allegedly found to be in possession of 35 litres of wash and implements for illicit distillation, when they were apprehended on 13.06.2007. They continue in custody from that date. The learned Public Prosecutor submits that there are no criminal antecedents for these petitioners.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioners can be directed to be released on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall not be released on the strength of this order prior to 13.07.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioners shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-